

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

<u>In Re</u>	)	
	)	
MANUEL RAUL REYO PENA	)	
GARCIA MONTERO	)	1:12-cv-00011-JAW
	)	

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

No objection having been filed to the Magistrate Judge's Recommended Decision filed May 2, 2012, the Recommended Decision is accepted.

Pursuant to Federal Rule of Appellate Procedure 24(a)(2), (4), the Court AFFIRMS the Recommended Decision of the Magistrate Judge (ECF No. 10) in this case and DENIES Pena Garcia Montero's request to proceed *in forma pauperis* on appeal (ECF No. 9) because the Court concludes the appeal is not a "good faith appeal" within the meaning of 28 U.S.C. section 1915 (a)(3). The Court ORDERS that the matter be transferred to the Court of Appeals for the First Circuit for any further proceedings.

SO ORDERED.

/s/ John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 7th day of June, 2012